

### **PATENT**

# In the UNITED STATES PATENT and TRADEMARK OFFICE

APPLICANT:

Auestad, et al

**SERIAL NO.:** 

10/602,169

FILED:

June 24, 2003

TITLE:

**APPETITE CONTROL METHOD** 

EXAMINER: Not yet assigned ART UNIT: Not yet assigned DOCKET NO.: 6960.US.01

I certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail addressed to the Commissioner for Patents, Alexandria, VA, on the date shown below.

Wendy Deturber 9/19/03
Wendy Detwiler Date

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Enclosed herewith is a Information Disclosure Statement and Form 1449 for the above-referenced patent application. Also enclosed are:

Sixty-four (64) references One (1) return postcard

If any fees are owed, or any credit is due pertaining to this case; please charge that fee or apply that credit to Deposit Account No. 01-0025.

Respectfully submitted,

Ross Products Division of ABBOTT LABORATORIES Department 108140/DS1 625 Cleveland Avenue Columbus, OHIO 43215-1724

Telephone: 614/624-5686 Facsimile: 614/624-3074

Docket: 6960.US.01

by William J. Winter Reg. No. 36,060



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Wendy Detwiter

Date

**Commissioner for Patents** P. O. Box 1450 Alexandria, VA 22313-1450

# INFORMATION DISCLOSURE STATEMENT

#### Dear Sir:

In accordance with their duty of disclosure under 37 C.F.R. §1.56, and as authorized and encouraged under 37 C.F.R. §§ 1.97-1.98 and the provisions of MPEP §§ 609 and 707.05(b), Applicants submit herewith certain patent documents, publications and/or other information ("references") which the Patent and Trademark Office may wish to consider in examining the above-identified patent application. The identification of any reference herein is not intended to be and should not be understood as being an admission that such reference necessarily constitutes "prior art" within the meaning of applicable law.

The cited references are listed on attached form PTO-1449.

- A copy of each cited reference is provided; X
- Copies of cited references are not provided because each has previously been made of record in the parent application, or is otherwise known to be in the Examiner's possession.

The Examiner is requested to review and evaluate each cited reference to make an independent assessment of the materiality of each, if any, to the examination of the aboveidentified application. The Examiner is requested to ignore any underscoring or highlighting which may have been done because such markings may or may not have any relationship to the subject matter of the present invention. The copies being submitted with this Statement are the best copies available at this time. Applicants respectfully request that (1) the references cited herein be made of record; (2) that the Examiner acknowledge his consideration of each reference by initialing and returning the enclosed copy of the PTO-1449 form; and (3) that such references appear on the printed patent as having been considered on the record.

With regard to payment of a fee:				
	) [	X	No fee is due because:	
			This Statement is mailed within three months of the filing date of this application, or before the mailing date of a first office action on the merits (see 37 C.F.R. §1.97(b)).	
C	<b>.</b>		Applicants certify that each reference cited in this Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. (see 37 C.F.R. §1.97(e)).	
	ם כ	2	This Statement is filed after the mailing date of a first Office Action on the merits but before the mailing date of either a final action or a Notice of Allowance (see 37 C.F.R. §1.97(c))	

If any fees are owed, or any credit is due pertaining to this case, please charge that fee or apply that credit to Deposit Account No. 01-0025. A duplicate sheet of this page is enclosed.

so a fee of \$180.00 is specified by 37 C.F.R. §1.17(p).

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Telephone: (614) 624-5686 Facsimile: (614) 624-3074

Docket: 6960.US.01

Respectfully submitted,

w William J. Winter Reg. No. 36,060

Sheet \_ 1 \_ of \_ 6\_

FORM PTO-1449 (Rev. 2032)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 6960.US.01	Serial No. 10/602,169
7	INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Applicant Auestad, et al.	
	(Use several sheets if necessary)	Filing Date June 24, 2003	Group

**U.S. PATENT DOCUMENTS** 

<u> </u>	3.1 ATENT DOCUMEN					
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date (if appro.)
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**FOREIGN PATENT DOCUMENTS** 

Document Number	Date	Name	Class	Subclass	Translation (Yes No)

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Sheet \_2\_ of\_ Atty. Docket No. Serial No. FORM PTO-1449 U.S. Department of Commerce 6960.US.01 10/602,169 Patent and Trademark Office Applicant INFORMATION DISCLOSURE STATEMENT BY APPLICANT Auestad, et al. Filing Date Group (Use several sheets if necessary) June 24, 2003 **U.S. PATENT DOCUMENTS** Filing Date (if appro.) Class Subclass Examiner **Document Number** Date Name Initial FOREIGN PATENT DOCUMENTS Class Subclass Translation (Yes No) Document Number Name OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Chaperon F and Thiebot M-H. Behavioral effects of cannabinoid agents in animals. Critical Reviews in Neurobiology, 13(3): 243-281, (1999). de la Presa Owens S and Innis SM. Docosahexaenoic and arachidonic acid prevent a decrease in dopaminergic and serotoninergic neurotransmitters in frontal cortex caused by a linoleic and  $\alpha$ -linolenic acid deficient diet in formula-fed piglets. Journal of Nutrition, 129: 2088-2093, (1999). de la Presa Owens S and Innis SM. Diverse, region-specific effects of addition of arachidonic and doxosahexanoic acids to formula with low or adequate linoleic and  $\alpha$ linolenic acids on piglet brain monoaminergic neurotransmitters. Pediatric Research. 48: 125-130, (2000). Devane WA, Hanus L, Breuer A, Pertwee RG, Stevenson LA, Griffin G, Gibson D, Mandelbaum A, Etinger A, and Mechoulam R. Isolation and structure of a brain constituent that binds to the cannabinoid receptor. Science, 258: 1946-1949, (1992). DiMarzo V, DePetrcellis L, Bisogno T, and Melck D. Metabolism of anandamide and 2arachidonovlolvcerol: an historical overview and and some recent developments. Lipids, 34:S319-S325, (1999). DiMarzo V, Goparaju SK, Wang L, Liu J, Batkal S, Jaral Z, Fezza F, Miura GI, Palmiter RD, Sugiura T, and Kunos G. Leptin-regulated endocannabinoids are involved in maintaining food intake. Nature, 410:822-825, (2001). Farquharson J, Jamieson EC, Abbasi KA, Patrick WJ, Logan RW, and Cockburn F. Effect of diet on the fatty acid composition of the major phospholipids of infant cerebral cortex. Arch Dis Child, 72(3): 198-203, (1995). Felder CC, Briley EM, Axelrod J, Simpsom JT, Mackie K, and Devane WA. Anandamide. an endogenous cannabimimetic eicosanoid, binds to the cloned human cannabinoid receptor and stimulates receptor-mediated signal transduction. Proc. Natl, Acad. Sci.. 90:7656-7660, (1993). Felder CC, Nielsen A, Briley EM, Palkovits M, Priller J, Axelrod J, Nguyen DN, Richardson JM, Riggin RM, Koppel GA, Paul SM, Becker GW. Isolation and measurement of the

**Examiner:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw Line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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**EXAMINER** 

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| Sheet 3 of 6 | Serial No. | S

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